

**Filed 12/20/05 by Clerk of Supreme Court  
IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2005 ND 209

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State of North Dakota,

Plaintiff and Appellee

v.

Mikal White Mountain,

Defendant and Appellant

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No. 20050157

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Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Bruce A. Romanick, Judge.

AFFIRMED.

Per Curiam.

Susan Schmidt, 411 North 4<sup>th</sup> Street, P.O. Box 2155, Bismarck, N.D. 58502-2155, for defendant and appellant.

Lloyd Clayton Suhr, Assistant State's Attorney, and Jeffrey R. Ubben (argued), Third-Year Law Student, 514 East Thayer Avenue, Bismarck, N.D. 58501, for plaintiff and appellee.

**State v. White Mountain**

**No. 20050157**

**Per Curiam.**

[¶1] Mikal John White Mountain was convicted by a jury of gross sexual imposition and tampering with evidence. He appeals from the criminal judgment, arguing the evidence was insufficient to convict him and the victim was not adequately identified in the criminal information.

[¶2] We summarily affirm under N.D.R.App.P. 35.1(a)(3) and (7), concluding there was sufficient evidence to uphold the verdict and his objection to the information cannot be raised for the first time on appeal.

[¶3] Gerald W. VandeWalle, C.J.  
Daniel J. Crothers  
Mary Muehlen Maring  
Carol Ronning Kapsner  
Dale V. Sandstrom